

Atty. Dkt. No. 033730-0102  
Appl. No. 09/884,877

#### REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

#### CLAIMS STATUS

Applicants have amended claim 33 to present the invention more clearly. No new matter has been added.

After the amendment, pending claims include rejected claim 33 and withdrawn claims 34-49. Applicants thank the Examiner for entering the amendment filed April 22, 2005, and the declaration filed May 27, 2005. Applicants also thank the Examiner for helpful suggestions for amending the claims.

#### REJECTION UNDER 35 U.S.C. §112,¶1

Claim 33 stands rejected as lacking enablement. Applicants traverse.

Applicants have amended claim 33 to clearly encompass the mouse embryonic cell line with the two inactivated Msh2 alleles as suggested by the Examiner, see June 23<sup>rd</sup> Advisory Action, page 2. Applicants believe that the revised claim obviates the rejection and, therefore, request withdrawal of the rejection.

#### CONCLUSION

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or

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even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

WASH Date Jan. 18, 2006 By Stephen B. Maebius

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